

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, September 21, 1983 in the City Hall Council Chambers.

ROLL CALL

Present: Council Members - Pinkerton, Reid, Snider,
and Olson (Mayor)

Absent: Council Members - Murphy

Also Present: City Manager Graves, Assistant City Manager
Glenn, Community Development Director
Schroeder, Public Works Director Ronsko, City
Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Dr. Wayne Kildall, Center of Hope

PLEDGE The Pledge of Allegiance was led by Mayor Olson

PRESENTATIONS Mayor Olson presented Certificates of Appreciation to the following City of Lodi Board and Commission Members:

San Joaquin County Arts Commission - Naomi Carey

Lodi Arts Commission - Kathleen Gonzales, Sara Heberle, Laura Wild, Gwinnett Mitchell, Mary Jane Ballatore, Mel Brenner, Carol Taylor, Carol Marvel, Mrs. Cecil Church, Zelma Meeks, Elaine Wait, Phawnda Cochran, Mr. Suse Chacon, Rev. Richard Lungren

League of California Cities - Annual Conference Committee -
Fred Reid

League of California Cities - Environmental Quality
Committee - John "Randy" Snider

PROCLAMATIONS Mayor Olson presented a Proclamation declaring this week to be "National Emblem Club Week"

CONSENT CALENDAR

REPORTS OF THE CITY MANAGER

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Snider second, approved the following actions hereinafter set forth.

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,032,067.12

Council was apprised that the improvements in "Public Safety Building Roof Eyebrow Repair" had been completed in substantial conformance with the plans and specifications approved by the City Council. The final contract price was \$19,750.00.

ACCEPTANCE OF PUBLIC SAFETY BUILDING ROOF EYEBROW REPAIR

COUNCIL ACCEPTED THE IMPROVEMENTS IN "PUBLIC SAFETY BUILDING ROOF EYEBROW REPAIR" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE AND APPROPRIATED AN ADDITIONAL \$5,000 FROM THE CAPITAL OUTLAY RESERVES FOR THE PROJECT.

Continued September 21, 1983

1146
AMENDED MAP
FOR LAKERIDGE
TRACT NO. 1816
SUBDIVISION
APPROVED

An Amended map for Lakeridge, Tract No. 1816 was presented for approval. Council was apprised that this is a resubdivision of Lakeridge, Tract No. 1816. The map is being filed because the lot sizes are being changed; however, the number of lots is staying the same.

COUNCIL APPROVED THE SUBJECT AMENDED MAP AND AUTHORIZED THE CITY CLERK TO SIGN THE SUBDIVISION MAP ON BEHALF OF THE CITY.

Council was apprised that Grupe Communities, Inc., the developer of Lakeshore Village, Unit No. 4, has furnished the City with the final map and the improvement plans, as well as the necessary agreements, guarantees for Faithful Performance and Labor and Materials insurance certificate and subdivision fees for Lakeshore Village, Unit No. 4, Tract No. 1859.

1146
LAKESHORE
VILLAGE, UNIT #4
TRACT NO. 1859
APPROVED

This subdivision is located on the north side of Lakeshore Drive, between Mills Avenue and Newport Drive and contains approximately 9.33 acres, which includes 10 single-family lots and 2 large parcels which will be divided at a later date.

COUNCIL APPROVED THE FINAL MAP FOR LAKESHORE VILLAGE, UNIT #4 AND DIRECTED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SUBDIVISION AGREEMENT ON BEHALF OF THE CITY.

Council was apprised that the following bids had been received for a turf tractor mower:

<u>BIDDER</u>	<u>BID</u>
H. V. Carter Co.	\$26,495.00
Duke Equipment	\$ NO BID
Golden Bear Equipment	\$36,782.00
Golden Bear Equipment	\$19,064.10
Jenkins Mfg.	\$27,209.14

1147
AWARD - TURF
MOWER

Council was informed that the bids from Golden Bear TRACTOR Equipment Co. and Jenkins Machinery Co. did not meet minimum specifications.

RES. NO. 83-103

COUNCIL ADOPTED RESOLUTION NO. 83-103 AWARDED THE BID FOR A TURF TRACTOR MOWER TO H.V. CARTER CO., INC., THE LOW BIDDER, IN THE AMOUNT OF \$26,495.00.

PUBLIC HEARINGS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider:

1148
1149
ZONING ORD.
AMENDED TO PERMIT
UNDER SPECIFIC
CONDITIONS
CONSTRUCTION OF
SECOND LIVING
UNITS IN AREAS
ZONED R-1, R-2,
AND R-L-D

The Planning Commissions recommendation that the Zoning Ordinance (Section 27, Lodi Municipal Code) be amended to permit, under specific conditions construction of second living units in areas zoned R-1 and R-2, Single Family Residential.

The matter was introduced by Community Development Director Schroeder who responded to questions regarding the subject as were posed by Council.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

Council discussion followed with amendments being proposed for the proposed Ordinance which would provide for the inclusion in the Ordinance of R-L-D (Low Density Multiple-Family Residential) and the inclusion of the requirement of an outside entrance.

ORD. NO. 1299
INTRODUCED

Following additional discussion, Council Member Reid moved for introduction of Ordinance No. 1299 amending the Zoning Ordinance (Section 27, Lodi Municipal Code) to permit, under specific conditions, construction of second living units in areas zoned R-1 and R-2, Single-Family Residential and R-L-D, Low Density Multiple-Family Residential with the amendments heretofore stated. The motion was seconded by Mayor Pro Tempore Snider and carried by the following vote:

Ayes: Council Members - Pinkerton, Snider, Reid and Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - Murphy

10/11/83
PLANNING
COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of September 12, 1983:

The Planning Commission -

1. Recommended approval of the request of Dan H. Radke, on behalf of the Emanuel American Lutheran Church to rezone the parcel at 320 South Ham Lane from R-1, Single-Family Residential to R-GA, Garden Apartment Residential.

2. Recommended that the City Council certify the filing of a Negative Declaration as adequate environmental documentation on the above rezoning request.

CONSIDERATION OF
THE REZONING OF
PARCEL AT 320
S. HAM LANE FROM
R-1 TO R-GA AND
CERTIFYING OF THE
NEGATIVE
DECLARATION THERE-
ON SET FOR HEARING

On motion of Council Member Reid, Olson second, Council set the heretofore listed items for public hearing at 8:00 p.m. at the adjourned regular meeting of the Lodi City Council to be held October 6, 1983.

The Planning Commission also -

ITEMS OF INTEREST

1. Approved the request of Bennett Development, Inc., for the Tentative Subdivision Map of Adobe Court, a 13-lot development proposed for the east side of South Church Street in an area zoned P-D (22), Planned Development District No. 22 (i.e. 1900-1902 South Church Street).

2. Recommended that the San Joaquin County Planning Commission approve the request of Kers Clausen on behalf of Goehring Meeting Company to reclassify a 7.89 parcel located at the northeast corner of Clarksdale Road and East State Route 99 Frontage Road, north of Lodi (19010 N. State Route 99) from GA-40, General Agricultural to M2-L, General Manufacturing-Limited.

10/11/83
COMMUNICATIONS
CITY CLERK
ABC LICENSES

ABC LICENSES

Application for the following Alcoholic Beverage License was received:

CLAIMS

On recommendation of the City Attorney and R. L. Kautz and Company, Council, on motion of Mayor Pro Tempore Snider, Reid second denied the following claim and referred it back to R. L. Kautz and Company:

Ernest and Helen Sullivan
DOL 8/16/83

PUC APPLICATIONS

City Clerk Reimche presented the following information pertaining to various PUC applications:

1. Letter from Theodore W. Russell, Trailways, Inc. and American Buslines, Inc. regarding the Matter of the Application of Trailways, Inc. and American Buslines, Inc., for authority to increase one-way and round-trip intrastate passenger fares.
2. Letter from R. S. Norminton, District Staff Manager of Pacific Telephone regarding amended Telpak Application No. 82-11-03.
3. Letter from Peter W. Hanschen of Pacific Gas and Electric Company, regarding the filing of Application No. 83 08 38 requesting authority to decrease its gas rates effective October 1, 1983, to reflect gas costs and to amortize an undercollection in its Gas Cost Balance Account.
4. Letter from Pacific Gas and Electric Company regarding notice that in Application No. 83-08-65 it has requested authorization effective January 1, 1984, to revise electric and gas tariffs under its conservation Financing Adjustment.

OPINION BY
ATTORNEY GENERAL
RE SEX PROGRAM-
MING

City Clerk Reimche presented an Opinion of John K. Van De Kamp, Attorney General regarding sex programming on television which was received and which concluded that "A California City does not have the legislative power to enact a penal ordinance which would prohibit a person from displaying on a television received for the viewing by a minor, a "sex program" when such minor's parent is not present or such minor does not have a parent's written permission to view the program.

City Attorney Stein gave a brief analysis regarding the subject opinion.

EMERGENCY
MEDICAL SERVICES
AWARENESS WEEK
INFORMATION REC'D

City Clerk Reimche presented a letter from the County regarding "Emergency Medical Services Awareness Week".

COMMENTS BY
CITY COUNCIL
MEMBERS

Mayor Olson commented to the beauty of Lodi Lake Park and extended appreciation to the park personnel for their efforts in maintaining this beautiful area.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons in the audience wishing to speak under this segment of the agenda.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

Council was apprised that Ralph Andersen and Associates had prepared an organizational report on the Finance Department indicating that the subject study was designed to provide better supervision in terms of work scheduling and monitoring of the field personnel, i.e., meter readers,

and to clarify lines of responsibility and authority of the Senior Accountant as it relates to the accounting function.

REORGANIZATION OF
FINANCE DEPARTMENT
AND FIRE
DEPARTMENT

In order to provide this needed supervision of field forces, a new position of Field Supervisor has been recommended, with Council being asked to adopt specifications for a Field Supervisor, to assign a salary range of \$1,579.05 to \$1,919.54, to designate this as a mid-management position, and to reclassify Mr. Emery Holloway to this position, and authorized the hiring of an Assistant Accounts Collector in the Finance Department. Following discussion with questions being directed to Staff, Council, on motion of Council Member Reid, Snider second, the heretofore set forth recommendations were adopted by unanimous vote of all Council Members present.

Council was apprised that the reorganization of the Fire Department is designed to clarify responsibilities at the fire scene, strengthen overall department management and administration, provide a person to assist in coordinating and monitoring a city-wide safety program, and provide additional assistance in the area of fire inspection. It will ultimately result in transferring the dispatch function to the Police Department and reduce overall manning by two persons in the Fire Department.

In order to accomplish this, three new classifications are required: Fire Administrative Officer, Fire Shift Supervisor and Fire Inspector. Council is requested to approve the following specifications at the appropriate salary levels, designate the Fire Administrative Officer's position as mid-management and reclassify Mr. Stanley Rall and Mr. Raymond Schatz to those positions.

FIRE CAPTAIN	\$1,694.10 - \$2,059.19
FIRE INSPECTOR	\$1,463.43 - \$1,778.80
FIRE SHIFT SUPERVISOR	\$1,778.80 - \$2,162.15
FIRE ADMINISTRATIVE OFFICER	\$1,867.74 - \$2,270.27

Following discussion with questions being directed to Staff, Council, on motion of Mayor Pro Tempore Snider, Reid second, approved three new classifications for the Fire Department; namely, Fire Administrative Officer, Fire Shift Supervisor, and Fire Inspector. Further, Council approved specifications at the following salary levels, designated the Fire Administrative Officer's position as mid-management, and reclassified Mr. Stanley Rall and Mr. Raymond Schatz to those positions:

Fire Captain	\$1,694.10 - \$2,059.19
Fire Inspector	\$1,463.43 - \$1,778.80
Fire Shift Supervisor	\$1,778.80 - \$2,162.15
Fire Administrative Officer	\$1,867.74 - \$2,270.27

LEONARD J. RUSSO,
INC. RETAINED AS
CITY LIABILITY
CLAIMS CONTRACT
ADMINISTRATOR

RES. NO. 83-105

Following introduction of the matter by the City Clerk, with questions being posed by Council, Council, on motion of Council Member Pinkerton, Reid second, authorized retaining the firm of Leonard J. Russo, Inc. as the City's Contract Administrator for liability claims effective October 1, 1983 and authorized the Mayor and City Clerk to execute the contract on behalf of the City. Further, Council, on motion of council Member Reid, Snider second, adopted Resolution No. 83-105 authorizing the City of Lodi's Administrative Staff (City Manager, Assistant City Manager, City Clerk, and City Attorney) and Leonard J. Russo, Inc., Monetary authority to settle liability claims to a specific limit as follows:

a) \$5,000 blanket authority to the Administrative Staff (City Manager, Assistant City Manager, City Clerk, and City Attorney) and \$1,000 to Leonard J. Russo, Inc.

AMENDED 10/19/83

216
CITY OF LODI
DEFERRED COMPEN-
SATION PLAN
ADOPTED

Council was apprised that Home Savings and Loan Association, the City's Deferred Compensation Administrator, in an effort to standardize all their plans, has asked the City to adopt a new Plan. Their rationale is that when IRS rulings and changes are made, those changes can be made uniformly. Also, it is easier and more efficient for them to be familiar with one Plan rather than a whole multitude of plans. Council was provided with a copy of the proposed new plan for its perusal and was informed that there are no substantive changes between this plan and the plan the City is now operating under. Two amendments were proposed on page No. 17 during Council discussion.

RES. NO. 83-104

On motion of Council Member Pinkerton, Reid second, Council adopted Resolution No. 83-104 adopting the City of Lodi Amended Deferred Compensation Plan as corrected.

214
PLANS & SPECS
FOR SHADY ACRES
PUMP STATION
APPROVED

Following introduction of the matter by Staff, Council, on motion of Council Member Pinkerton, Reid second, approved the Plans and Specifications for the Shady Acres Pump Station (Outfall and Pumping structure), and authorized the advertising for bids thereon.

216
NATIONAL CONGRESS
OF CITIES VOTING
DELEGATES

Following introduction of the matter, Council, on motion of Council Member Reid, Snider second, designated Mayor Olson as the Voting Delegate and Mayor Pro Tempore Snider as the Alternate for the National Congress of Cities Conference to be held in New Orleans - November 26 to November 30, 1983.

214
ADDITIONAL AGENDA
ITEMS

214
ROBERTI-Z'BERG
GRANT OF \$35,000
FOR SALAS PARK

Council was apprised that the City has an opportunity to receive an additional \$35,000 for Salas Park through the Roberti-Z'Berg Urban Open Space and Recreation Program. The City will have to match 25% of the \$35,000, but since the City has accomplished all the work that has been done at the park, the purchase of the land can be used as matching; therefore, there is no "out-of-pocket" money required at this time by the City.

RES. NO. 83-106

Following discussion Council, on motion of Mayor Pro Tempore Snider, Reid second, adopted Resolution No. 83-106 - Resolution of the City Council of the City of Lodi Approving the Application for Grant Funds Under the Roberti-Z'Berg Urban Open Space and Recreation Program for Samuel D. Salas Park Improvements.

214
LABOR EXPANSION
AT WSWPCF
ACCEPTED

Following discussion, on motion of Council Member Pinkerton, Snider second, Council accepted the improvements for "Laboratory Expansion at WSWPCJ" and directed the Public Works Director to file a Notice of Completion thereon.

DEPT HEAD
SALARIES

214
RES. NO. 83-107

Following introduction of the matter by Mayor Olson and a lengthy discussion, Council, on motion of Mayor Olson, Reid second, adopted Resolution No. 83-107 establishing the following monthly salary ranges for the City's various Department Heads and setting the monthly salary for the Community Relations Assistant at \$1,789.00 - effective the pay period beginning July 4, 1983.

DEPARTMENT HEAD

RANGE

Community Development Director	\$3191 - 3861
Finance Director	\$3076 - 3722
Fire Chief	\$3268 - 3955
Police Chief	\$3450 - 4175
Public Works Director	\$3566 - 4315
Parks and Recreation Director	\$2922 - 3535
Utility Director	\$3495 - 4230
Assistant City Manager	\$3100 - 3751
Administrative Assistant	\$2107 - 2550

PAY INCREASE
GRANTED COUNCIL
APPOINTEES

RES. NO. 83-108

On motion of Mayor Olson, Reid second, Council adopted Resolution No. 83-108 setting the monthly salaries for the three Council appointees effective the pay period beginning July 4, 1983 as follows:

City Manager	\$4631.00 per month
City Clerk	\$2323.00 per month
City Attorney	\$3869.00 per month

The motion carried by the following vote:

Ayes: Council Members - Reid, Snider, and Olson (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - Murphy

AMENDMENT TO
DEFERRED
COMPENSATION

RES. 83-109

On motion of Mayor Pro Tempore Snider, Reid second, Council adopted Resolution No. 83-109 amending Section B, entitled "Deferred Compensation of Resolution No. 4336 as follows:

"As a supplement to the City's deferred compensation plan, the City will provide, in addition to normal salary and contributions to deferred compensation, an additional contribution to expand retirement benefits. For Classification A employees, and additional 1.5% of income; for Classification B, an additional 1% of income will be added to individually selected deferred income plan. Employees will receive this during their employment with the City of Lodi and cannot withdraw it until they either retire or leave the service of the City".

This amendment also is to be effective the first pay period in July, commencing July 4, 1983.

ORDINANCES

NCPA GEOTHERMAL
PROJECT NO. 3
THIRD PHASE
AGREEMENT

ORD. NO. 1294
ADOPTED

Ordinance No. 1294 - An Ordinance including Amendment One - Ordinance of the City Council of the City of Lodi, approving the Terms and Conditions of an Agreement to a Member Agreement Between Northern California Power Agency and Certain Participating Members, and authorizing the Execution of and Delivery of Said Agreement and Amendment by the Officers of the City of Lodi. NCPA Geothermal Project No. 3 Third Phase Agreement having been reintroduced at a regular meeting of the City Council held September 7, 1983 was brought up for passage on motion of Mayor Pro Tempore Snider, Reid second. Second reading of the Ordinance was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Reid, Snider, and Olson (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - Murphy

ORD. AMENDING
P-D (15)

ORD. NO. 1296
ADOPTED

Ordinance No. 1296 - Amending P-D (15) so that the parcel at 1300 West Kettleman Lane, Lodi, conforms to the C-S, Commercial Shopping District rather than the R-C-P, Residential-Commercial-Professional District having been introduced at a regular meeting of the City Council of the City of Lodi held September 7, 1983 was brought up for passage on motion of Mayor Pro Tempore Snider, Reid second. Second reading of the Ordinance was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Pinkerton, Reid, Snider, and Olson (Mayor)

Noes: Council Members - None

Continued September 21, 1983

1902 S. CHURCH
STREET, LODI,
REZONED FROM P-D
22 TO R-MD

Ordinance No. 1297 - An Ordinance rezoning the parcel at 1902 South Church Street, Lodi, from P-D (22), Planned Development District No. 22 to R-MD, Medium Density Multiple Family Residential having been introduced at a regular meeting of the City Council of the City of Lodi held September 7, 1983 was brought up for passage on motion of Council Member Reid, Olson second. Second reading of the Ordinance was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

ORD. NO. 1297
ADOPTED

Ayes: Council Members - Pinkerton, Reid, Snider, and Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - Murphy

AMENDMENT TO
NORTH FORK
STANISLAUS RIVER
HYDROELECTRIC
DEVELOPMENT
PROJECT AGREEMENT

Ordinance No. 1298 - An Ordinance of the City Council of the City of Lodi, approving the Terms and Conditions of an Amendment to a Member Agreement between Northern California Power Agency and Certain Participating Members, and Authorizing the Execution of and Delivery of said Amendment by the Officers of the City of Lodi, North Fork Stanislaus River Hydroelectric Development Project having been introduced at a regular meeting of the City Council of the City of Lodi held September 7, 1983 was brought up for passage on motion of Mayor Pro Tempore Snider, Reid second. Second reading of the Ordinance was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

ORD. NO. 1298
ADOPTED

Ayes: Council Members - Reid, Snider and Olson (Mayor)

Noes: Council Members - Pinkerton

Absent: Council Members - Murphy

CLOSED SESSION

At approximately 9:45 p.m., the Council met in Closed Session to discuss matters regarding pending litigation.

ADJOURNMENT

Following the "Closed Session", the meeting was adjourned by Mayor Olson to Thursday, October 6, 1983 at 8:00 p.m.

Attest:

Alice M. Reimche
Alice M. Reimche
City Clerk